

REMARKS

Applicant respectfully requests consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed November 28, 2006. Claims 1-6 stand rejected. In this Amendment, claim 1 has been amended. No new matter has been added.

35 U.S.C. §103

The Examiner rejected claims 1 and 4 under 35 U.S.C. §103(a) as being unpatentable over Rackson, (U.S. Patent No. 6,415,270, hereinafter "Rackson"), in view of Ramakrishnan, et al., ("Database Management System" Copyright 2000, pages 3, 4, 8 and 9, hereinafter "Ramakrishnan"). Claims 2 and 5 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rackson, in view of Ramakrishnan, and further in view of Bailey, et al., (U.S. Patent No. 6,785,671, hereinafter "Bailey"). Claims 3 and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rackson, in view of Ramakrishnan, and further in view of Searcher, et al., ("Intelligent agents: A primer" Copyright 1999 hereinafter "Searcher"). As discussed below, the pending claims are patentable over the above references.

Rackson discloses a multi-auction service that automatically replicates an item to be auctioned at multiple remote auctions. That is, Rackson's multi-action service receives selling parameters for an item from the seller, determines the selling parameters to be applied to the item and the remote auction(s) at which to hold auctions, and automatically lists the item for an upcoming auction.

The presently claimed invention, in contrast, is not directed to replicating an item at multiple remote auctions. Instead, the presently claimed invention is directed to presenting relevant prior sales data in such a manner as to assist the seller in selecting optimal conditions for the sale of an item. In particular, the presently claimed invention includes application software

that allows a seller to specify comparison parameters and then uses these comparison parameters to compare prior sales data gathered from different e-commerce websites that pertains to an item to be offered for sale. Furthermore, the application software provides a visual representation of the resulting comparison to the seller, thereby effectively assisting the seller in the selection of optimal selling conditions for the item.

Rackson does not teach or suggest the above features of the presently claimed invention. Specifically, Rackson does not disclose or suggest having application software that is operable to receive comparison parameters specified by the seller, to use these comparison parameters to compare data gathered from e-commerce websites that pertains to an item to be offered for sale, and to provide a visual representation of the comparison of the data gathered from the e-commerce websites to the seller, as recited in claim 1. Thus, claim 1 is patentable over Rackson.

Each of the other references (Ramakrishnan, Bailey and Searcher) lacks the same limitations of claim 1 that are missing from Rackson. Accordingly, the cited references, taken alone or in combination, do not teach or suggest the present invention as claimed in claim 1.

Applicant respectfully submits that claim 1 and its dependent claims 2-6 are patentable over the cited references and requests the withdrawal of the rejections under 35 U.S.C. §103(a). Applicant further submits that the pending claims are in condition for allowance, which action is earnestly solicited.

DEPOSIT ACCOUNT AUTHORIZATION

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Respectfully submitted,

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